

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

GERALD D. LEACH,

3:10-CV-01128-PK

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#29) on November 8, 2011, in which he recommends this Court remand this case to the Commissioner for further proceedings to evaluate the report of Keli Dean, Psy.D., in the context of the record as a whole. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and

Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#29). Accordingly, the Court **REVERSES** the Commissioner's decision and **REMANDS** this case to the Commissioner for further proceedings to evaluate the report of Keli Dean, Psy.D., in the context of the record as a whole.

IT IS SO ORDERED.

DATED this 23rd day of January 23, 2012.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge